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PATENT, TRADEMARK AND COPYRIGHT LAW
AND RELATED FEDERAL AND ITC LITIGATION

ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A
NOTICE TO FILE MISSING PARTS OF APPLICATION**

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Re: 7063-001-0

Inventor: Renata Maria Anna CAVALIERE VESELY et al

Serial No: 08/13,776

Filed: March 7, 1997

For: STRAINS OF BACTERIA AND PHARMACEUTICAL
COMPOSITION CONTAINING ONE OR MORE OF SUCH
STRAINS AND USE OF SAME FOR PREVENTING AND
TREATING DISEASES ASSOCIATED WITH OR CAUSED BY
ALTERED METABOLISM OF BILE ACIDS

SIR:

Attached hereto for filing are the following papers:

PETITION FOR THREE-MONTH EXTENSION OF TIME, FILING OF DECLARATION UNDER 37 CFR 1.53(D), EXECUTED DECLARATION, RETURN COPY OF FORM PTO-1533 (Notice to File Missing Parts of Application)

Our check in the amount of \$1,252.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

William Healey pg 10 36,160

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MAY 23 1997

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Washington, D.C. 20231

sector

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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O I P E

OCT 17 1997

08/813, 776 03/07/97 CAVALIERE VESELY R 7060-603-00

0262/0521

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OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT
FOURTH FLOOR
1755 JEFFERSON DAVIS HWY
ARLINGTON VA 22202

NOT ASSIGNED

1615

DATE MAILED:

05/21/97

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

Decl / Fees / Seq 4 of 7 Regs
12/21/97

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3-6 only of \$ 352 for a large entity small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a large entity small entity (verified statement filed), is \$ 1252.

Repln. Rev. 11/26/1997 SBLZ/AR 00160045 00160045
DA#150030 Date/NM#00160045 08813776

FC: 704

insufficient \$110.00 CR

Applicant must submit \$ 770 to complete the basic filing fee and/or the required surcharge
statement claiming such status (37 CFR 1.27). 11/26/1997 SBLZ/AR 00160045 00160045
01 FC:105 130.00 CH

2. Additional claim fees of \$ 352, including any multiple dependent claim fees, are required.
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

- is missing.
- does not cover the newly submitted items.
- does not identify the application to which it applies.
- does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are:

- missing.
- by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

Adjustment Date: The signature of one of the following joint inventor(s) is missing from the oath or declaration:

10/29/1997 JTIPPETT 00000045 08813776

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-110.00 OP An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- 6. A \$ 110.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- 7. Your filing receipt was mailed in error because your check was returned without payment.
- 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the response.

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Initial Patent Examination Division (703) 308-1202

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**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.

2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).

3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).

7. Other: _____

Applicant must provide:

An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"

An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification

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